State lawmakers face the challenge of constructing juvenile justice systems that are both fiscally responsible and improve outcomes on many important fronts: protecting and enhancing public safety, holding youth accountable, helping youth develop the skills they need to succeed, preserving and strengthening families, and promoting fairness.

The following principles were developed and designed by state legislators to provide guidance to their peers as they review and enact policies and make budgetary decisions aimed at achieving these goals.

Principles of Effective Juvenile Justice Policy

- Juvenile justice policies should be based on data and research about youth development, delinquency and effective responses to prevent reoffending and promote improved outcomes for youth, communities and families.
- Funding should be prioritized for juvenile justice programs, policies and practices that are backed by research and evidence demonstrating effectiveness.
- Juvenile justice policies and stakeholders should avoid the unnecessary involvement of youth in the juvenile justice system.
- The age and scope of juvenile court jurisdiction should take into account research and evidence about youth development.
- Objective assessment tools should be used to inform decisions at various stages of the juvenile justice process consistent with the risks, needs and strengths of youth.
- Juvenile justice policies should promote fairness and protect youths' due process rights.
- Juvenile justice policies should strive to keep youth in the community, employ evidence-based methods to promote positive youth development, and build on the strengths of youth and their families.
- Conditions in residential facilities and other programs should be humane, supportive of rehabilitation, developmentally appropriate and trauma-informed.
- Juvenile justice policies should support youths' healthy transition to adulthood and reduce barriers to rehabilitation, including collateral consequences of justice system involvement.
- Juvenile justice policies should eliminate unfair and disparate treatment, and ensure that justice systems meet the needs of overrepresented and other special populations of youth.
- System-involved youth, families, and crime victims and survivors impacted by the juvenile justice system should play a central role in informing the development of juvenile justice policy and finding solutions to hold youth accountable in age-appropriate ways.
- Cross-branch oversight mechanisms should hold government systems accountable, monitor outcomes, encourage system improvements, and invest in effective justice system practices.

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Principles of Effective Juvenile Justice Policy

1. Juvenile justice policies should be based on data and research about youth development and delinquency, and effective responses to prevent reoffending and promote improved outcomes for youth, communities and families.
   - Use state and local data to identify and diagnose a jurisdiction’s specific challenges.
   - Develop appropriate solutions using the best available scientific evidence from across the nation.

2. Funding should be prioritized for juvenile justice programs, policies and practices that are backed by research and evidence demonstrating effectiveness.
   - Consider eliminating ineffective interventions and reinvesting the savings into programs that reduce reoffending and improve outcomes for youth.
   - Create innovation funds to develop the evidence base for promising programs.
   - Match youth with specific services that provide the level of intensity and length of service that will be most effective.

3. Juvenile justice policies and stakeholders should avoid the unnecessary involvement of youth in the juvenile justice system.
   - Encourage alternatives that divert appropriate youth from formal court processing.
   - Find ways to address youths’ risks and needs outside the court system and involve them in diversion opportunities only as long as necessary.
   - Prioritize strategies that task child-serving systems other than the juvenile justice system to meet youths’ needs for matters that do not impact public safety.
   - Schools, law enforcement, courts and other stakeholders should communicate about the appropriate roles of law enforcement officers and consider limiting their involvement to serious matters of safety.

4. The age and scope of juvenile court jurisdiction should take into account research and evidence about youth development.
   - Set the minimum age of juvenile court jurisdiction to an age at which the average youth is able to understand consequences, be held responsible, and change behavior with appropriate interventions.
   - Determine the maximum age of juvenile court jurisdiction, the age of extended jurisdiction, and the scope of transfer to the adult system in accordance with research on adolescent brain development, behavioral change and the effects on public safety.

5. Objective assessment tools should be used to inform decisions at various stages of the juvenile justice process so that interventions are responsive to the risks, needs and strengths of youth.
   - Fund and validate assessment tools tailored for specific youth populations in order to better inform juvenile justice policy decision-making.
   - Fine-tune such tools to avoid disparate treatment or overrepresentation of particular groups of youth.

6. Juvenile justice policies should promote fairness and protect youths’ due process rights.
   - Dedicate sufficient resources to indigent juvenile defenders to provide high-quality legal representation in delinquency proceedings, and provide for timely hearings at all stages of the justice process.
   - Promote access to justice by communicating legal rights, responsibilities and consequences in developmentally appropriate and culturally competent language.
   - Ensure that rules and expectations for youth are reasonable and that there are clear paths for exiting the juvenile justice system.

7. Juvenile justice policies should strive to keep youth in the community, employ evidence-based methods to promote positive youth development, and build on the strengths of youth and their families.
   - Establish rules that prevent out-of-home placement except for the highest-risk youth who cannot safely be treated and held accountable in the community.
   - Limit time in out-of-home placement to no longer than what research indicates is effective to reduce recidivism.
   - Structure probation to reduce recidivism and promote youth success, including limiting length of stay, tailoring conditions of supervision and engaging families.

8. Conditions in residential facilities and other programs should be humane, supportive of rehabilitation, developmentally appropriate and “trauma-informed,” incorporating practices that understand, recognize and respond to trauma.
   - Establish standards for humane conditions, actively monitor both state-run and contracted residential facilities, and ensure that standards are met.
   - Allocate funds to ensure that youths’ risks and needs are appropriately addressed when they do need to be confined.

9. Juvenile justice policies should support youths’ healthy transition to adulthood and reduce barriers to rehabilitation, including the collateral consequences of being involved in the justice system.
   - Consider the ability of youth and their families to pay for the costs associated with system involvement and eliminate fines and fees wherever possible.

10. Juvenile justice policies should eliminate unfair and disparate treatment, and ensure that justice systems meet the needs of overrepresented and other special populations of youth.
    - Consider policies and practices that foster data collection, transparency, education and accountability regarding disparate treatment and overrepresentation, and develop and implement appropriate remedies.
    - Ensure that juvenile justice systems and staff are equipped, skilled and educated to meet the diverse needs of youth and families in culturally responsive and linguistically competent ways.

11. System-involved youth, families, crime victims and survivors impacted by the juvenile justice system should play a central role in informing the development of juvenile justice policy and finding solutions to hold youth accountable in age-appropriate ways.
    - Implement policies that provide restorative responses to crime that seek to address the needs of the victim, community and responsible youth.
    - Structure and provide access to resources so that justice-involved youth who have experienced trauma or victimization can access victims’ services.

12. Cross-branch oversight mechanisms should hold government systems accountable, monitor youth outcomes, encourage system improvements and invest in effective justice system practices.
    - Equip relevant agencies and stakeholders with opportunities, training and resources to ensure effective implementation.
    - Invest in data systems, training and other infrastructure that promote transparency and continuous quality improvement in juvenile justice systems.
    - Structure oversight bodies to enable regular communication among stakeholders, provide access to high-quality data and analysis, and include performance review.
    - Include individuals in oversight bodies who can bridge the gap between the development of state policy and its implementation.

- Recognize and limit the effects of collateral consequences—such as obstacles to higher education, housing, employment (including in certain licensed professions) and military service—through appropriate confidentiality protections, expungement, record-sealing and other policies.
- Support youth development with re-entry services that seek to transition juveniles out of the system toward becoming healthy adult members of society.